

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**INTERMEC IP CORP., a Delaware  
corporation,**

**Plaintiff,**

**C. A. No. 06-411-GMS**

**v.**

**ALIEN TECHNOLOGY CORP., a  
Delaware corporation,**

**Defendant.**

**DECLARATION OF GLENN W. GENDEL  
IN SUPPORT OF ALIEN TECHNOLOGY CORP.'S  
MOTION TO DISMISS OR, IN THE ALTERNATIVE, TRANSFER**

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Attorneys for Defendant Alien  
Technology Corporation

August 18, 2006

I, Glenn W. Gengel, declare as follows:

1. I am Vice President, Operations for Alien Technology Corporation ("Alien"). The contents of this Declaration are within my personal knowledge. If called as a witness in this action, I could and would testify competently to its contents.

2. The dispute in both the North Dakota and Delaware cases focuses on patents relating to RFID devices. RFID systems typically consist of at least one "tag," which can transmit information, and a "reader," which can receive a signal from the tag that contains information. The information can identify the object to which the tag is affixed. RFID devices may be used for inventory control, to identify animals, for credit cards or drivers' licenses, or many other uses.

3. Alien is incorporated in Delaware, but has its principal office in Morgan Hill, California.

4. Alien has a 45,558 square foot facility in Fargo, North Dakota, which serves as Alien's manufacturing facility for its tag products. Tag products manufactured at that facility are likely to be challenged by Intermec IP.

5. US Pat. 5,528,222 relates to the manufacture and structure of a flexible RFID tag.

6. As of April 1, 2006, Alien had negative net earnings and total assets of about \$84 million. It employed, as of April 1, 2006, approximately 240 people.

I declare under penalty of perjury under the laws of the State of Delaware that the foregoing is true and correct. Executed this 11<sup>th</sup> day of August, 2006, in the County of Santa Clara, State of California.

  
\_\_\_\_\_  
Glenn W. Gengel

**CERTIFICATE OF SERVICE**

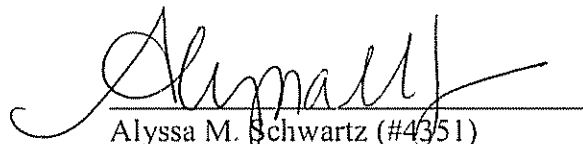
I hereby certify that on August 18, 2006, I electronically filed the foregoing with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following and which has also been served as noted:

**BY HAND DELIVERY**

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I hereby certify that on August 18, 2006, I have caused the foregoing to be sent by Federal Express to the following non-registered participants:

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